

REGULAR CITY COUNCIL MEETING

OCTOBER 21, 1985

PRESENT

Grant S. Nielson	Mayor
Craig Greathouse	Council Member
Don Dafoe	Council Member
Ruth Hansen	Council Member
Gayle Bunker	Council Member

ABSENT

Neil Dutson	Council Member
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OTHERS PRESENT

Jim Allan	City Manager
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
John Quick	City Engineer
Dennis Leavitt	Public Works Department
Wydell Jeffery	Candidate for Council Member
Jane Beckwith	Historical Board
Rita Byrd	Public Works Department
Don Morris	
Mr. Warrick	
Allen Wardel	Delta Lions Club
Dean Myers	Delta Lions Club
Clark Hardy	Delta Lions Club
Jim Stanton	Delta Lions Club

Mayor Grant Nielson called the meeting to order at 7:00 p.m. Dorothy Jeffery, Delta City Recorder, acted as secretary. Mayor Nielson stated that notice of the meeting time, place and agenda were posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a Special City Council Meeting held April 22, 1985, were presented for the Council's consideration and approval. The Council reviewed the minutes briefly, after which Council Member Don Dafoe MOVED that the minutes be approved as presented. Council Member Ruth Hansen SECONDED the motion. Mayor Nielson asked if there were any questions or comments regarding the minutes. There being none, he called for a vote on the motion, which passed unanimously.

The proposed minutes of a Public Hearing held September 9, 1985, were presented for the Council's consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. Council Member Ruth Hansen SECONDED the motion. Mayor Nielson asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held September 9, 1985, were presented for the Council's consideration and approval. The Council discussed and corrected the minutes, after which Council Member Don Dafoe MOVED that the minutes be approved as corrected. Council Member Ruth Hansen SECONDED the motion. Mayor Nielson asked if there were any questions or comments regarding the minutes or the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held September 16, 1985, were presented for the Council's consideration and approval. The Council discussed and corrected the minutes, after which Council Member Gayle Bunker MOVED that the minutes be approved as corrected. Council Member Ruth Hansen SECONDED the motion. Mayor Nielson asked if there were any questions or comments regarding the minutes or the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Special City Council Meeting held September 24, 1985, were presented for the Council's consideration and approval. The Council reviewed the minutes, after which Council Member Ruth Hansen MOVED that the minutes be approved as presented. Council Member Gayle Bunker SECONDED the motion. Mayor Nielson asked if there were any questions or comments regarding the minutes or the motion. There being none, he called for a vote on the motion, which passed unanimously.

The proposed minutes of a Public Hearing held September 30, 1985, were presented for the Council's consideration and approval. The Council discussed and corrected the minutes briefly, after which Council Member Don Dafoe MOVED that the minutes be approved as corrected. Council Member Ruth Hansen SECONDED the motion. Mayor Nielson asked if there were any questions or comments regarding the minutes or the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held September 30, 1985, were presented for the Council's consideration and approval. The Council discussed and corrected the minutes, after which Council Member Gayle Bunker MOVED that the minutes be approved as corrected. Council Member Craig Greathouse SECONDED the motion. Mayor Nielson asked if there were any questions or comments regarding the minutes or the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the

accounts payable, Council Member Don Dafoe MOVED that the accounts payable be approved for payment as listed in the amount of \$26,298.60. The motion was SECONDED by Council Member Gayle Bunker. Mayor Nielson asked if there were any further questions or comments regarding the accounts payable. There being none, he called for a vote. The motion passed unanimously.

MAYOR GRANT NIELSON: DISCUSSION/DECISION OF REIMBURSEMENT OF 7% DEVELOPMENT FEE TO PAUL TAGGART, MEADOW PARK SUBDIVISION

Mayor Nielson reminded the Council that Paul Taggart has requested that Delta City refund to his company the interest earned on the funds paid as an annexation impact fee and that the City refund the entire amount paid for the subdivision impact fee on the Meadow Park Subdivision.

Council Member Gayle Bunker MOVED to refund to the Evans/Taggart Partnership the 7% subdivision development impact fee paid on the lots that have been developed in the Meadow Park Subdivision in the amount of \$722.00 and the 7% development fee on the Meadow Park Subdivision be waived because the 7% park development fee was paid at the time of annexation. Council Member Ruth Hansen SECONDED the motion, which passed unanimously.

DENNIS LEAVITT, PUBLIC WORKS DEPARTMENT: REVIEW AND AWARD OF BIDS ON SNOW PLOWS

Mayor Nielson asked Dennis Leavitt of the Public Works Department to review with the Council the bids received on two snow plow blades.

Dennis Leavitt presented the bids for two snow plow blades and said that due to a typographical error, Delta City Recorder Dorothy Jeffery had received all of the bids on Saturday, October 19, 1985. The bids were opened at 12:00 noon on October 21, 1985, in the office of City Manager Jim Allan. The bids received are as follows:

	<u>7 Foot</u>	<u>12 Foot</u>
H & K Trucking	1,710.00	4,262.00
Western Rock Mach.	--	6,984.00
Holland Equipment	1,689.00	5,072.00

Mr. Leavitt reviewed all the bids received with the Council and recommended that the Council accept the bid from H & K Trucking regardless of the \$12.00 difference in the bid, because the low bidder, Holland Equipment, did not meet the specifications set by the Public Works Department.

Following further discussion of the bids received, Council Member Don Dafoe MOVED to accept H & K Trucking's bids of \$1,710.00 for the 7 foot snow plow and \$4,262.00 for the 12 foot snow plow. The motion was SECONDED by Council Member Craig Greathouse. Mayor Nielson asked if there were any further comments or questions regarding the snow plow or the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR GRANT NIELSON: CONSIDERATION OF MILLARD SCHOOL DISTRICT'S REQUEST FOR FRANCHISE TAX EXEMPTION

Mayor Grant Nielson reviewed with the Council the Millard School District's request that Delta City waive the franchise tax on the Delta area schools' utility bills. After reviewing the request, Mayor Nielson recommended that the Council deny the franchise tax exemption request from Millard School District because the monies in question are already included in Delta City's present approved budget.

Council Member Don Dafoe said that even though the schools are located within Delta City, many County residents are utilizing the Delta City streets and services and said he does not feel that the Millard School District warrants an exemption.

Council Member Gayle Bunker said that if a franchise tax exemption for the Millard School District were allowed, many other entities within Delta City would request the same consideration and it would be too difficult to draw the line of who should be exempt and who should not.

Following further discussion, Council Member Craig Greathouse MOVED to deny the franchise tax exemption to Millard School District. Council Member Don Dafoe SECONDED the motion. Mayor Nielson asked if there were any further questions or comments regarding the issue or the motion. There being none, he called for a vote on the motion, which passed unanimously.

CITY MANAGER JIM ALLAN: UTAH POWER & LIGHT ELECTRIC SERVICE AGREEMENT FOR (1) SCHOOL ZONE LIGHT LOCATED AT 500 SOUTH 100 WEST AND (2) SCHOOL ZONE LIGHT LOCATED AT 340 SOUTH 100 WEST

Mayor Nielson asked City Manager Jim Allan to review with the Council the Utah Power & Light Electric Service Agreement for a School Zone Light.

City Manager Jim Allan then explained that there are two different locations where flashing yellow lights will be located. The locations are 500 South 100 West and 340 South 100 West. Mr. Allan said that when flashing yellow lights are used, an agreement between Delta City and Utah Power & Light is required stating that Delta City gives authorization to Utah Power & Light to provide the power. Mr. Allan also said that there is no payment required for the flashing yellow lights because the annual payment for service is being waived by Utah Power & Light.

Following a brief discussion of the flashing yellow lights, Council Member Gayle Bunker MOVED to approve Utah Power & Light's Electric Service Agreement for flashing yellow lights at 500 South 100 West and 340 South 100 West. Council Member Ruth Hansen SECONDED the motion. Mayor Nielson asked if there were any further comments or questions regarding the motion. There being none, he called for a vote on the motion, which passed unanimously.

ATTORNEY WARREN PETERSON: APPROVAL OF DEED TO WEST MILLARD HOSPITAL DISTRICT RELEASING REVERSIONARY INTEREST TO PROPERTY IN BLOCK 53

Mayor Grant Nielson requested that Attorney Warren Peterson discuss with the Council the approval of a deed to West Millard Hospital District releasing a reversionary interest to property in block 53.

Attorney Warren Peterson presented a proposed resolution entitled:

RESOLUTION 85-138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELTA, UTAH AUTHORIZING EXECUTION AND DELIVERY OF A QUIT-CLAIM DEED RELEASING ANY REVERSIONARY INTEREST HELD BY DELTA CITY TO CERTAIN PROPERTY LOCATED IN LOT 2, BLOCK 53, DELTA TOWNSITE, PLAT "A".

Following a brief discussion of the resolution, Council Member Gayle Bunker MOVED to release reversionary interest to property in Block 53 and to adopt Resolution No. 85-138. Council Member Don Dafoe SECONDED the motion. Mayor Nielson asked if there were any further questions or comments regarding the resolution or the motion. There being none, he called for a roll call vote on the motion, which was as follows:

Council Member Craig Greathouse	Yes
Council Member Don Dafoe	Yes
Council Member Ruth Hansen	Yes
Council Member Gayle Bunker	Yes
Council Member Neil Dutson	Absent

Mayor Nielson then signed the resolution and it was attested by Delta City Recorder Dorothy Jeffery.

JIM ALLAN: DISCUSSION OF PROPOSED ABANDONED VEHICLE ORDINANCE

Mayor Nielson asked City Manager Jim Allan to present to the Council a recommendation for an abandoned vehicle ordinance.

City Manager Jim Allan presented a copy of an abandoned vehicle ordinance adopted by Brigham City and asked the Council to consider the adoption of such an ordinance. Mr. Allan reviewed the ordinance with the Council and said that he feels that the strong points of the ordinance are that it shall be unlawful for a person to abandon a vehicle on any private property without the express or implied consent of the owner of the real property. Also, any unlicensed vehicle being repaired must be stored in a garage or behind a fence which will shield the vehicle from view from the street and adjoining property.

Attorney Peterson said that there is not presently a Delta City ordinance dealing with a vehicle abandoned on someone else's property or on a public street.

Following further discussion of the ordinance, the Council concurred that such an ordinance is needed and would improve the looks of the community.

Council Member Don Dafoe MOVED to instruct Attorney Warren Peterson to draft an ordinance that would be applicable to Delta City using Brigham City's ordinance as a guide. Council Member Craig Greathouse SECONDED the motion. Mayor Nielson asked if there were any further questions or comments regarding the motion. There being none, he called for a vote on the motion, which passed unanimously.

MAYOR GRANT NIELSON: DELTA LIONS CLUB PRESENTATION AND PROPOSAL FOR DELTA CITY PARK (OLD FOOTBALL FIELD)

Mayor Nielson said that Delta City does have title to the Old Football Field and the deed has been sent to the Millard County Recorder for recordation. Mayor Nielson recognized Mr. Clark Hardy of the Delta Lions Club and asked him to present the Lions Club's proposal for the Delta City Park.

Mr. Hardy read a letter that had previously been sent to Mayor Nielson and to the City Council Members stating a proposal to rename the City Park on 100 West and Main to 100 North as the Delta City Lions Park. The letter is as follows:

Dear Mayor and City Council:

Delta Lion's proposal to name the City Park on 1st West from Main Street to 1st North the Delta City Lion's Park. The Delta Lions will paint the pavilion in 1986 and every four years thereafter. In 1987 we will paint the picnic tables and redo them every four years. In 1987 we will paint the tennis courts and also repaint them every four years. Light trimming of the trees will also be done on a yearly basis so that people can walk down the sidewalks and the limited parking signs can be read.

The cost for materials for the above will be paid for by the City of Delta for the probationary period to be agreed upon between the City Council and the Delta Lions. After the probationary period of the City has named the park "Delta City Lions Park", the Delta Lions will take over the cost of the materials used on the above projects.

Other projects may come up from time to time will be agreed upon between the City Council and the Delta Lions Club and the cost will be the responsibility of the City during the probationary period. After the probationary period, the cost of up to \$500.00 per year will be paid for by the Lions and any remainder will be paid by the City or voted upon by the Lion Members if they are to pay.

The final agreement must be voted upon by the Delta Lions Club as well as the City Council before it is put into force. Your input or changes are welcome.

It is the purpose of the Delta Lions to encourage good citizenship in our youth. It will be our purpose and goal to work with the Boy Scouts in having them participate in the above projects and others that may come up from time to time to earn their Eagle rank.

Clark Hardy, President
Delta Lions Club

Mr. Hardy said that the reason the Lions Club is so interested in this particular area of the park is because the Lions Club built the existing pavilion, installed the electricity for the tennis court and the pavilion, and the Lady Lions installed the water fountain. Council Member Don Dafoe said that many improvements need to be made on the newly purchased old football field property and suggested that the Lions Club help with the improvements on that property. Mr. Hardy requested that the City Council draw up a proposal on the old football field property similar to the proposal of the Lions Club stated in the above letter. The Council agreed to draw up a proposal for discussion at a later date.

MAYOR GRANT NIELSON: AIRPORT STUDY AND RECOMMENDATION BY VAL KOFOED, SUNRISE ENGINEERING

Mayor Nielson said that Val Kofoed of Sunrise Engineering was not in attendance at this meeting and said that this item should be tabled until a later date.

City Manager Jim Allan said that representatives from the Federal Aeronautics Administration will be in Delta on Tuesday, October 22, to review the proposed upgrading of the Delta City Airport.

MAYOR GRANT NIELSON: DISCUSSION/DECISION OF HISTORICAL COMMISSION MEMBER APPOINTMENTS

Mayor Grant Nielson asked Jane Beckwith, representing the Historical Commission, to address the Council regarding the appointment of Historical Commission members.

Jane Beckwith said that in order to meet Federal and State requirements for participation in available funding, it is necessary to advertise for the following positions as part of the Historic Preservation Commission: a historian, an archeologist, and a person skilled as an architectural historian.

Ms. Beckwith requested that Delta City advertise for anyone interested in the preservation of local historic sites and artifacts to indicate their interest in participating on the Historic Preservation Commission and/or to participate in the formation of a historical society for the area.

Ms. Beckwith said that membership in the Commission is limited to residents of Delta City; however, anyone interested may become a member of the Historical Society.

Mayor Nielson said that an advertisement would be placed in the Millard County Chronicle Progress for Historic Preservation Board Members.

JIM C. ALLAN: RESOLUTION ADOPTING THE DELTA CITY FIVE YEAR CAPITAL PROJECTS LIST

Mayor Nielson asked City Manager Jim Allan to review with the Council the proposed Delta City Five Year Capital Projects List.

Jim Allan presented the Capital Projects List and asked the Council if any changes needed to be made or if any project needed to be added to the list. Mr. Allan presented a proposed resolution entitled:

RESOLUTION 85-139

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DELTA, UTAH, IDENTIFYING CAPITAL IMPROVEMENT PROJECTS FOR THE CITY OF DELTA AND ESTABLISHING A PRIORITY THEREFOR.

Following a brief discussion, Council Member Don Dafoe MOVED to adopt Resolution No. 85-139. Council Member Craig Greathouse SECONDED the motion. Mayor Nielson asked if there were any further comments or questions regarding the motion. There being none, he called for a roll call vote, which was as follows:

Council Member Craig Greathouse	Yes
Council Member Don Dafoe	Yes
Council Mmember Ruth Hansen	Yes
Council Member Gayle Bunker	Yes
Council Member Neil Dutson	Yes

Mayor Nielson then signed the resolution and it was attested by Delta City Recorder Dorothy Jeffery.

OTHER BUSINESS

City Recorder Dorothy Jeffery said that there has been a change in the names for Judge of Election. The appointments for Judge of Election are as follows:

<u>District 17</u>	<u>District 18</u>
Phyllis Davis	Norma Pearson
June Lovell	June Reid
Norda Roper	LaRetta Whicker
Donetta Hardy--Alternate	Betty Valiquette--Alternate

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Council Member Ruth Hansen said that new street signs need to be posted and that it was her understanding that the Chamber of Commerce was undertaking this project. City Manager Jim Allan said that this project has been budgeted for in the Public Works Department.

City Engineer John Quick reviewed with the Council the proposed Drain Enclosure Project. Mr. Quick said that research has been done and he now has additional information to present to the Community Impact Board to obtain possible funding for this project.

Mayor Nielson asked if there were any further comments or questions or items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn the meeting. The motion was SECONDED by Council Member Craig Greathouse. The meeting was adjourned at 9:35 p.m.


GRANT S. NIELSON, Mayor

Attest:


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: November 25, 1985